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789	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
10 11 12	UNITED STATES OF AMERICA, Plaintiff, v.	CASE NO. CR11-5235-BHS ORDER DENYING TRAVEL REQUEST
13	DAVID DEVENNY,	1.1. 40.12.1
14	Defendant.	
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16	THIS MATTER has come before the Court on the referral by the Honorable Benjamin H.	
17	Settle on Defendant's motion to travel to the Philippines for the purposes of obtaining proper	
18	documentation for his marriage to a citizen of the Philippines (ECF No. 52).	
19	This Court denied the same motion on July 15, 2011 (ECF No. 35). Since that time,	
20	defendant has entered into a Plea Agreement and pled guilty to the following felony charges: (1)	
21	Unlawfully Dealing of Firearms, in violation of Title 18 U.S.C. § 922(a)(1); (2) Sale of a Firearm	
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23	Prohibited Person, in violation of Title 18 U.S.C. § 922(d)(1) (ECF No. 48). Sentencing is	
24	scheduled for January 23, 2012.	

1	Although there is no Sentencing Recommendation in the Plea Agreement, the statutory	
2	penalties for these offenses include imprisonment for up to 5 years on Count 1, plus a fine of	
3	\$250,000 and a period of supervised release for up to 3 years. The penalties for Counts 2 and 3	
4	include imprisonment for up to 10 years, a fine of \$250.000, and a period of supervision	
5	following release for up to 3 years (ECF No. 48).	
6	According to defendant's counsel, defendant "exchanged a ceremony of marriage on	
7	October 17, 2011." Notably, this was after this Court had denied defendant's request for travel	
8	(ECF No. 52). Otherwise, the facts have not changed.	
9	The Government objects to the motion and argues that allowing the defendant to travel to	
10	the Philippines creates a significant risk of flight.	
11	This Court agrees. Defendant's motion is DENIED.	
12	Dated this 6th day of December, 2011.	
13	Though water	
14	J. Richard Creatura	
15	United States Magistrate Judge	
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